In the High Court of Judicature at Madras

Dated: 22.01.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM

and

The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Petition No.802 of 2007

1.A. Ramachandran
2.D. Balasubramanian
3.Sundaram Kumar ..Petitioners

..vs..

1. The Chennai Metropolitan Development
   Authority rep. By its Member Secretary
   No.1, Gandhi Irwin Road
   Egmore
   Chennai 8.

2. The Corporation of Chennai
   rep. By its Commissioner
   113 Rippon Building
   Periamet, Chennai 600 003.

3. Nizar Ahamed ..Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus as stated therein.

For Petitioners : Mr. K. Sakthivel

For Respondents : Mr. J. Ravindran for R.1
Mr. G.T. Subramaniyan for R.2
Mrs. Hema Sampath Senior Counsel
for Mr. S. Venkateswaran for R.3
..

ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

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The petitioners have filed the above writ petition to issue a writ of mandamus directing the respondents to take action and demolish the violated portions of the building put up by the third respondent at No.10, Third Avenue, Beasant Nagar, Chennai 600 090.

2. Heard the learned counsel for the petitioners as well as respondents.

3. It is brought to our notice that the first respondent as early as on 22.08.2006 directed the Commissioner, Corporation of Chennai, second respondent herein to inspect and take necessary action against the construction/demolition of the construction based on the complaint made by the petitioners against the third respondent. It is the further grievance of the petitioner that in spite of the said direction, the second respondent has not taken any action against the third respondent till this date. Taking note of the above aspects, the second respondent is directed to inspect the premises of the third respondent viz., No.10, Third Avenue, Beasant Nagar, Chennai 600 090, and take necessary action if there is any violation/deviation, in accordance with law, after affording opportunity to him (R.3).

The writ petition is disposed of accordingly. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

1.The Member Secretary
Chennai Metropolitan Development
Authority
No.1, Gandhi Irwin Road
Egmore
Chennai 8.

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2.The Commissioner
  Corporation of Chennai
  113 Rippon Building
  Periamet, Chennai 600 003.

+ 1 CC To Mr. K.Sakthivel, Advocate SR NO. 3935

+ 1 CC To Mr. G.T.Subramanian Advocate SR NO.4146

+ 1 CC To Mr. S.Venkateswaran, Advocate SR NO. 4140

Writ Petition No.802/07

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